

This Honorable Court has imposed a deadline for discovery related motions to be filed no later than November 6, 2006. The Plaintiff's failure to produce the required information in his initial disclosures has prejudiced these Defendants simply because the Defendants have no knowledge or way to ascertain the amount of damages related to the Plaintiff's medical expenses. Accordingly, the Defendants respectfully request that the Court enter an Order granting its motion and compelling the Plaintiff to appropriately provide answers and/or documentation as provided in F.R.C.P. 26(a)(1)(B) and (C) within ten (10) days or risk dismissal of his cause of action pursuant to F.R.C.P. 37. Furthermore, the Defendants request that they be awarded the fees and costs incurred in connection with their efforts to obtain Plaintiff's compliance with the discovery rules in an amount to be determined by the Court based upon the affidavit of services to be provided by Defendants' counsel prior to the hearing on this motion.

Respectfully submitted,

ORTALE, KELLEY, HERBERT & CRAWFORD

/s/ W. Carl Spining

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document was sent via electronic service to the attorney for the Plaintiff, Adam Wilding Parrish, Esq., 110 South Cumberland, Lebanon, TN 37087 on this the 6th day of November, 2006.

/s/ W. Carl Spining

W. Carl Spining

